

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

V.

§

TYLER ALLEN STOTSKY (8)

§

CIVIL NO. 4:21-CR-300-SDJ

ORDER

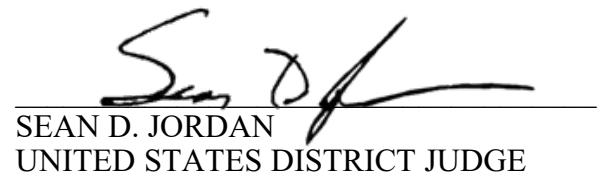
Before the Court is Defendant Tyler Stotsky's pro se motion to object to continuances on the docket. (Dkt. #1421). Even though Stotsky is represented by Court-appointed counsel, he filed this motion pro se. Because Stotsky is represented by counsel, this motion cannot be accepted for filing, and therefore will be stricken from the record.

On May 11, 2022, the Court appointed Philip Linder to represent Stotsky in this matter. (Dkt. #408). Since that time, Linder has consistently represented Stotsky. Although Stotsky recently moved the Court to withdraw Linder as counsel, (Dkt. #1287), the Court denied that motion, (Dkt. #1369). Stotsky does not have a “constitutional right to hybrid representation” and, therefore, cannot proceed pro se while represented by counsel. *United States v. Ogbonna*, 184 F.3d 447, 449 n.1 (5th Cir. 1999) (citation omitted). Therefore, the Court will not accept Stotsky’s pro se motion. See, e.g., *United States v. Alvarado*, 321 F.App’x 399, 400 (5th Cir. 2009) (per curiam) (“Because Alvarado was represented by counsel in the district court, he was not entitled to file a pro se motion on his own behalf.”); *United States v. Ruston*, No.

3:04-CR-191, 2006 WL 8441626, at *2 (N.D. Tex. July 24, 2006) (declining to accept pro se documents where defendant was represented by counsel).

For these reasons, Defendant Tyler Allen Stotsky's pro se motion to object to continuances on the docket, (Dkt. #1421), is **STRICKEN**.

So ORDERED and SIGNED this 7th day of November, 2024.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE